



DEPARTMENT OF THE NAVY  
NAVSUP FLEET LOGISTICS CENTER SAN DIEGO  
3985 CUMMINGS ROAD  
SAN DIEGO CA 92136-4200

IN REPLY REFER TO

J&A Number: 12-220-0008

JUSTIFICATION AND APPROVAL  
FOR USE OF OTHER THAN FULL AND OPEN COMPETITION

1. Contracting Activity.

The contracting activity is the NAVSUP Fleet Logistics Center San Diego. The requiring activity is Navy Region South West (NRSW) Fire and Emergency Service (F&ES).

2. Description of the Action Being Approved.

Award of a one time, Firm-Fixed Price supply contract to Fisher Scientific, LLC, exclusive vendor of Morning Pride Turnout Gear. Delivery is ninety days after contract award. This gear will be distributed to Federal Fire and Emergency Service (F&ES) activities as part of their Personal Protective Equipment (PPE) needed to fight fires.

3. Description of Supplies.

Requirement as follows:

72 EA Morning Pride GSAFEE00220 Structural Tails

72 EA Morning Pride GSAFFF00221 Structural Pants

35 EA Morning Pride GSAFEE00224 Proximity Tails

35 EA Morning Pride GSAFEE00225 Proximity Pants

Total procurement:

Funding: OM&N FY2012

These supplies will be distributed by the CNRSW to various F&ES activities on military sites in California and Nevada.

4. Statutory Authority Permitting Other Than Full and Open Competition.

10 U.S.C. 2304(c)(1), as implemented by FAR 6.302-1, Only one Responsible Source.

5. Rationale Justifying Use of Cited Statutory Authority.

CNRSW F&ES Federal Firefighters, are required to have the ability to fight fires on military installations, on regional wild lands, and on ships. They are also required to fight fires involving military aircraft, regardless of location. The varied threats facing these federal firefighters means that their Personal Protective Equipment [PPE] is of the utmost importance in terms of safety, protection and other considerations; particularly their "turnout" gear, which includes the coats and pants firefighters wear while firefighting. Over time, the existing gear becomes worn and must be replaced. The coats are

designed to fit with the pants and work as a unit; as such, both parts must be replaced together to ensure proper protection levels, and comply with required National Fire Protection Association (NFPA) safety levels. This buy will also outfit new hires, which will ensure commonality and standardization of both equipment and training throughout all F&ES activities. Commonality of equipment is critical for exploiting the Navy's investment costs to date, regarding using, repairing, cleaning, maintaining and storing these units.

Honeywell First Responder Products manufactures the Morning Pride Turnouts, the only product used throughout Navy Region Southwest. Fisher Scientific, LLC is the only authorized vendor of these specified Morning Pride Turnouts. These turnouts were uniquely designed by Honeywell to meet National Fire Protection Association (NFPA) standards for PPE construction, and also stated specifications of the CNRSW F&ES activities.

Finally, competitive procurement of firefighting turnouts that do not conform to the CNRSW Morning Pride specifications would result in substantial duplication of costs that would not be recovered through competition.

The Government would incur additional costs for the testing and approval of compliant new equipment, costs that have already been incurred for the Morning Pride units regarding NFPA and CNRSW standards. In addition, the learning curve and experience levels already obtained through past standardized training of existing firefighters would be lost.

Finally, Fisher Scientific is the only vendor with a 24 hour emergency "loaner" replacement set guarantee, should a firefighter's PPE/Turnout set become unserviceable. This allows for continued working, with an identical replacement set, while a permanent replacement set is procured. As such, there is no interruption of service or delays in learning to use different PPE.

#### 6. Description of Efforts Made to Solicit Offers from as Many Offerors as Practicable.

Efforts to locate compatible equipment were made, but no other products certified under NFPA 1971, 2007 edition, were found. A two week synopsis announcing the Government's intent to make sole source award to Fisher Scientific was posted on the NECO website from 14 August 2012 through 28 August 2012, and two potential bidders, ADS Inc. and LN Curtis, asserted that they could obtain the Morning Pride PPEs. However, upon request of a

price quote, neither company could obtain the Morning Pride units specified in the synopsis.

7. Determination of Fair and Reasonable Cost.

The Contracting Officer has determined the anticipated cost to the Government of the supplies covered by this J&A will be fair and reasonable.

8. Actions to Remove Barriers to Future Competition.

For the reasons set forth in Paragraph 5, NAVSUP Fleet Logistics Center has no plan at this time to compete future contacts for the types of supplies/services covered by this document. If another potential source emerges, NAVSUP Fleet Logistics Center will assess whether competition for future requirements is feasible.

9. CONTRACTING POINT OF CONTACT.

The point of contact is Joel Judy, Contract Negotiator, NAVSUP FLCSD Regional Contracts Dept, telephone number (619) 556-6619, e-mail: joel.judy@navy.mil.

**CERTIFICATIONS AND APPROVAL**

**TECHNICAL/REQUIREMENTS CERTIFICATION**

I certify that the facts and representations under my cognizance which are included in this Justification and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief.

**Technical/Requirements Cognizance:**

\_\_\_\_\_  
Signature                      Name (Printed)                      Phone No.                      Date 30/09/2012

**LEGAL SUFFICIENCY REVIEW**

I have determined this Justification is legally sufficient.

\_\_\_\_\_  
Signature                      Name (Printed)                      Phone No.                      Date 9/9/2012

**CONTRACTING OFFICER CERTIFICATION**

I certify that this Justification is accurate and complete to the best of my knowledge and belief. To the extent that the J&A/LSJ value is between \$150K and \$650K, the Contracting Officer's signature below also represents approval of the J&A/LSJ.

\_\_\_\_\_  
Signature                      Name (Printed)                      Phone No.                      Date 9/9/12

**CONTRACTING ACTIVITY COMPETITION ADVOCATE REVIEW**

To the extent that the J&A/LSJ value is between \$650K and \$12.5M, the Competition Advocate's signature below also represents approval of the J&A/LSJ.

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Signature                      Name (Printed)                      Phone No.                      Date 10 Sep 2012